

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

ROSALIE LOLONGA-GEDEON,

Plaintiff,

v.

CHILD & FAMILY SERVICES,

Defendant.

DECISION AND ORDER
08-CV-300A

This case was referred to Magistrate Judge Leslie G. Foschio, pursuant to 28 U.S.C. § 636(b)(1). On August 26, 2011, defendant filed a motion (Dkt. No. 95) for sanctions under Rule 37 of the Federal Rules of Civil Procedure. On October 17, 2011, Magistrate Judge Foschio issued a Decision and Order (Dkt. No. 100) granting defendant's motion.

Plaintiff filed objections to the Decision and Order on November 7, 2011 (Dkt. No. 106). Although the Court set a schedule for a response and reply concerning the objections (Dkt. No. 108), the parties filed no additional papers. The Court has deemed the matter submitted on papers pursuant to Rule 78(b) of the Federal Rules of Civil Procedure.

Pursuant to 28 U.S.C. § 636(b)(1)(A), the district court "may reconsider any pretrial matter under this [section] where it has been shown that the magistrate judge's order is clearly erroneous or contrary to law." The Court has reviewed

plaintiff's objections and Magistrate Judge Foschio's Decision and Order. Upon such review, the Court finds that Magistrate Judge Foschio's Decision and Order is neither clearly erroneous nor contrary to law.

Accordingly, the Court affirms the Decision and Order.

This case is referred back to Magistrate Judge Foschio for further proceedings.

SO ORDERED.

s/ Richard J. Arcara

HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT JUDGE

DATED: January 3 , 2012